

CHAPTER 19

PARK REGULATIONS

19.01 Park Management
19.02 Park, Definition
19.03 Unlawful Conduct Prohibited
19.04 Closing Hours
19.05 Conduct in Zoo Regulated
19.06 Motor Vehicles
19.07 Snowmobiles Prohibited
19.08 Off-the-Road Vehicles Prohibited
19.09 Camping
19.10 Use of Park Facilities; Fees and Deposit
19.11 Consumption of Alcoholic Beverages
19.12 Pat Liston Dog Park
19.13 Conduct in Campbell Park Regulated
19.14 (Reserved)
19.15 Penalty

19.01 PARK MANAGEMENT. The Parks and Recreation Director shall be responsible for the day to day operation of City parks in accordance with policies established by the Parks and Recreation Commission and the Council.

19.02 DEFINITIONS. (2511 03/12/2019) As used in this chapter, the following words and phrases shall have the following meanings:

- (1) “Electronic Delivery Device” means any product containing or delivering nicotine or any other substance intended for human consumption or inhalation that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. This includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
- (2) “Park” means all lands and water hereto-fore and hereafter acquired by the City for park or recreational purposes, or placed under the jurisdiction of the Parks and Recreation Commission, and includes, without limitation, parks, parkways, greenways, recreational facilities and structures, and privately owned lands the use of which has been granted or leased to the City for park, recreational or like public purposes.
- (3) “Properly restrained” shall mean a dog must be on a leash strap, chain, or cord that is no more than eight (8) feet in length and of appropriate strength to control the dog and used by a person of sufficient capability to restrain, control, and guide the dog.

- (4) “Smoking” means burning or holding, or inhaling or exhaling smoke from, any of the following items: a lighted cigar, a lighted cigarette, a lighted pipe or any other lighted smoking device or apparatus.
- (5) “Tobacco product” means any and all kinds and forms of tobacco prepared in a manner for human use including, but not limited to, smoking, vaping, chewing tobacco, snus and snuff.
- (6) “Vaping” means the use of an electronic delivery device.

19.03 UNLAWFUL CONDUCT PROHIBITED.

(2511 03/12/2019) In addition to unlawful conduct prohibited elsewhere in this code, state statute and federal law, it shall be unlawful for any person to commit any of the following acts in or upon any public park within the City;

- (1) **FIRES.** To build any fire, except in grills or fireplaces provided for that purpose and in compliance with Chapter 5 of the Baraboo Municipal Code. No person shall leave any fire unattended and all fires shall be extinguished before leaving the area.
- (2) **GLASS CONTAINERS.** Glass beverage containers of any kind are prohibited in all parks.
- (3) **MOVING PARK EQUIPMENT.** To remove benches, seats, tables or other park equipment from any park or park facility unless prior approval of the Parks and Recreation Director is obtained.

- (4) FIREWORKS. To set off fireworks of any kind, except when a public display permit has been issued by the Mayor pursuant to §9.05 of this Code. No sparklers shall be permitted.
 - (5) GAMES, ATHLETICS AND SPORTS. To engage in any athletic contest, game or activity, except in areas specifically designated for such activity, whereby large areas of public grounds are usurped by the participants to the exclusion and at the peril of injury to others, unless prior approval of the Parks and Recreation Director or designee is obtained. No one shall participate in playing ball, golf, tennis or archery in any City park, except upon ball fields, golf links, tennis courts or archery ranges, respectively, established by the Parks and Recreation Commission.
 - (6) SALES. To vend, sell or offer for sale any food, beverage or other commodity or article to the public within any park without written authorization from the Parks and Recreation Commission.
 - (7) RULES. To fail, refuse or neglect to obey the regularly posted rules and regulations of the Parks and Recreation Commission for the use or enjoyment of any facilities.
 - (8) PETS. To take, have, keep or permit any dog, cat or other domesticated pet in any park in the City, with the following exceptions:
 - (a) Dogs permitted in Deppe Park, a/k/a Deppe Recreation Area, so long as the dog is properly restrained.
 - (b) Dogs are permitted on trails, walks and paths through City parks so long as the dog is properly restrained, with the exception of in the arboretum, where dogs are strictly prohibited including on the trails, walks and paths.
 - (c) Dogs are permitted in the Pat Liston Dog Park. (See also, §19.12, City Code)
 - (d) Service animals, as provided for by the Americans with Disabilities Act of 1990.
 - (e) A dog, cat or domesticated pet may be kept within a motor vehicle legally parked in posted parking areas within City parks. (1843 11/28/95)
 - (f) With prior written authorization from the Parks and Recreation Director or designee.
 - (9) MOLESTING ANIMALS. To molest, disturb, chase or throw objects at any animal or bird within any park.
 - (10) SIGNS. To paste, glue, tack or otherwise post any sign, placard or advertisement, or solicit business of any nature in any park without prior written authorization from the Parks and Recreation Director or designee.
 - (11) DISORDERLY CONDUCT. To engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance, endangers other persons or property, or unreasonably interferes with the use of the park by others.
 - (12) SMOKING AND VAPING. Smoking and vaping in City parks is prohibited, except as allowed pursuant to §101.123(4m), Wis. Stat.
- 19.04 CLOSING HOURS.** (2511 03/12/2019)
- (1) No person shall be or remain in any park between the hours of 10:00p.m. and 6:00a.m., with the exception of the Pat Liston Dog Park, which shall be open from sunrise to sunset, except with written permission granted by the Parks and Recreation Commission or the Parks and Recreation Director to use the park during said prohibited hours under terms and conditions to be determined by the Parks and Recreation Commission or the Parks and Recreation Director; provided this section shall not prohibit passing through a park area on a public roadway, walkway or the Riverwalk without stopping.
 - (2) Any park or part thereof may be declared closed to the public by the Parks and Recreation Commission or the Parks and Recreation Director at any time and for any interval of time, either temporarily or at regular or stated intervals. It shall be unlawful for any person to enter or be present in any park or portion thereof which has been closed to the public.
- 19.05 CONDUCT IN ZOO REGULATED.** (2511 03/12/2019)
- (1) HARASSMENT OF ANIMALS. No person shall engage in any conduct under circumstances which tends to harass, annoy, disturb or endanger the health, welfare, safety and living environment of the Ochsner Park Zoo animals including, but not limited to, teasing, harassing, mocking, throwing objects, spitting, making loud and disturbing noises, feeding harmful foods or drink, touching or hitting with objects, or intentional molestation.
 - (2) FEEDING OF ANIMALS. No person shall feed or give any substance to any Ochsner Park Zoo animal except for those animals where feeding is specifically allowed by a sign

located on or near the animals' cage or enclosure.

- (3) BARRIERS. All persons visiting the Zoo shall adhere to and stay behind all barrier structures.
- (4) DESTRUCTION OF PLANTS PROHIBITED. It shall be unlawful for any person to disturb or destroy any of the vegetation within the zoo grounds, specifically for the purpose of feeding the animals.
- (5) FOOD AND BEVERAGES PROHIBITED. Visitors are prohibited from taking food or beverages into the zoo.
- (6) TOBACCO USE PROHIBITED. Smoking, vaping and the use of tobacco products is prohibited within the zoo grounds.

19.06 MOTOR VEHICLES. (2511 03/12/2019)

- (1) Except for authorized City employees, no person shall drive or park a motor vehicle in any park, except on such roads or parking lots specifically designated for the use of motor vehicles unless specifically permitted in writing by the Parks and Recreation Director.
- (2) No person shall operate a motor vehicle at a speed in excess of 15 miles per hour or in excess of any other posted speed limit, whichever is less.
- (3) No person shall operate a motor vehicle in a reckless or imprudent manner or in any manner which may tend to create a disturbance or endanger the safety of persons using the parks.

19.07 SNOWMOBILES PROHIBITED. It shall be unlawful for any person to operate a snowmobile in any park.

19.08 OFF-THE-ROAD VEHICLES PROHIBITED. (2511 03/12/2019) Except for authorized City employees, it shall be unlawful for any person to operate any mini-bike, go-cart, motorcycle or other off-the-road vehicle in any park unless specifically permitted in writing by the Parks and Recreation Director.

19.09 CAMPING. No camping shall be permitted in any park, except upon the written permission of the Parks and Recreation Commission and in campground areas designated by the Commission.

19.10 USE OF PARK FACILITIES; FEES AND DEPOSIT. (2511 03/12/2019)

- (1) RENTAL FACILITIES. The Schedule of Rental Facilities and respective fees as established by the Parks and Recreation

Commission on file in the office of the Parks and Recreation Director is hereby adopted by reference. It shall be unlawful for any person to use such rental facilities for an event that requires a reservation without first paying the designated fee.

- (2) RESERVATION OF OTHER PARK FACILITIES. Other park facilities and park areas may be reserved on a first-come first-served basis upon making application to the Parks and Recreation Director.

- (3) DEPOSITS. The Parks and Recreation Director may require a cash deposit for any reserved park facilities. All or part of said deposit may be retained in the event the facility or area is not cleaned up or if facility keys are not returned.

19.11 CONSUMPTION OF ALCOHOLIC BEVERAGES. (1512 05/10/88, 2511 03/12/2019)

The possession and consumption of beer and wine is permitted in all parks when possessed and/or consumed in compliance with all other relevant local and state laws, with the following exceptions:

- (1) PIERCE PARK COMPLEX. No person shall sell, possess or consume any alcoholic beverages within the Pierce Park Complex except as authorized by and pursuant to the Park and Recreation Commission Lease of the Concession Stand at the park. During the times when the tenant of the Pierce Park Concession Stand is not open for business, fermented malt beverages and wine may be brought in and consumed in the Pierce Park Complex if specifically permitted in writing by the Parks and Recreation Director. (1512 05/10/88).
- (2) ZOO CREW FEST. No person shall sell, possess or consume any alcoholic beverages within Lower Ochsner and Attridge Parks during those dates and times as established by the Parks and Recreation Director for the annual Baraboo Zoo Crew Fest held at Ochsner and Attridge Parks, except as authorized and pursuant to any lease of said Parks. (1643 05/12/92)
- (3) PARK PROHIBITIONS. Alcoholic beverages may not be consumed in the following parks at any time: Campbell Park, Hackett Hollow Conservancy, Liston Dog Park, Myron Park, Nanny Park and on the Riverwalk. An exception may be made for Nanny Park for beer and/or wine as part of a special event license (See §12.05, City Code).

19.12 PAT LISTON DOG PARK. (2511 03/12/2019)

Dogs are permitted to run unleashed in the designated and fenced area of the Pat Liston Dog Park, subject to the following conditions:

- (1) Children under the age of 16 must be with an adult.

- (2) Each handler is allowed a maximum of two dogs in the park at a time.
- (3) Only one person and their dog(s) are allowed in the release area at a time.
- (4) Dogs must be on a leash when entering and exiting the off leash area.
- (5) Handlers must remain inside the designated area at all times when their dog(s) are off leash.
- (6) Choke, prong, pinch and spike collars are not allowed on dogs in the off leash area.
- (7) Female dogs in heat are not permitted.
- (8) Strollers, bikes, skis, rollerblades and children's toys are prohibited.
- (9) Food, smoking, glass containers and bare feet are prohibited.
- (10) Aggressive dogs and dogs exhibiting aggressive behavior must be removed immediately.
- (11) Handlers must either use the provided waste bags or bring their own shovel, scoop or bag for removal of fecal matter and must remove and deposit the fecal matter in the provided waste containers.

- (12) Dogs must be licensed by the City of Baraboo or other governmental agency, or the handler must have in his or her possession written proof that the dog is currently vaccinated against rabies.
- (13) All dogs must have a current dog park permit. (See also, §12.08A).
- (14) Handlers must fill in any holes dug by their dog(s) immediately using the provided fill.

19.13 CONDUCT IN CAMPBELL PARK REGULATED. (2529 09/10/2019) Bicycles are prohibited in the area of Campbell Park designated and improved for skateboarding, and which is commonly referred to as the Skate Park.

19.14 (Reserved)

19.15 PENALTY. Any person who shall violate any provision of this chapter may be subject to a penalty as provided in §25.04 of this Code.